

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MCKESSON AUTOMATION, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-028 (SLR/LPS)
)	
SWISSLOG ITALIA S.P.A. and)	
TRANSLOGIC CORPORATION,)	
)	
Defendants.)	

STIPULATION AND ORDER FOR EXTENSION OF TIME

WHEREAS defendants have moved to dismiss plaintiff's willfulness allegations (D.I. 224), based in part of the inadequacy of plaintiff's willfulness pleading in view of *In re Seagate Tech.*, 2007 U.S. App. LEXIS 19768 (Fed. Cir. Aug. 2007); and

WHEREAS plaintiff has moved for leave to file a Second Amended Complaint to more specifically plead its allegations of willful infringement, in the event that the Court grants defendants' motion to dismiss the willfulness allegations (D.I. 272); and

WHEREAS the Court has scheduled oral argument on defendants' motion to dismiss plaintiff's willfulness allegations for May 12, 2008.

IT IS HEREBY STIPULATED by the parties, subject to approval by the Court, that the time for defendants to file their answering brief in opposition to plaintiff's motion for leave to amend shall be stayed until the Court decides defendants' motion to dismiss plaintiff's willfulness allegations. In the event that the Court grants that motion, defendants' answering brief shall be filed within 10 days after entry of the Court's Order granting defendants' motion to dismiss (D.I. 224).

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April 28, 2008

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S.p.A. and Translogic Corporation*

SO ORDERED this ____ day of _____, 2008.

J.

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